STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

PAUL R. LEPAGE
GOVERNOR

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COMMISSIONER

The Lane Construction Corporation
Waldo County
Searsport, Maine
A-524-71-I-R/A (SM)

Departmental
Findings of Fact and Order
Air Emission License
Renewal and Amendment

FINDINGS OF FACT

After review of the air emission license renewal and amendment application, staff investigation reports, and other documents in the applicant's file in the Bureau of Air Quality, pursuant to 38 Maine Revised Statutes Annotated (M.R.S.A.), §344 and §590, the Maine Department of Environmental Protection (Department) finds the following facts:

I. REGISTRATION

A. Introduction

The Lane Construction Corporation (Lane) has applied to renew their Air Emission License permitting the operation of emission sources associated with their portable concrete batch plant facility.

Lane has also requested an amendment to their license in order to add equipment from their Hampden facility (A-307) to this license. This includes the #17 Concrete Batch Plant, Storage Silos #17A, B, and C, and the Omnia 14 K-100 boiler.

The equipment addressed in this license is located at Dump Rd., Searsport, Maine.

B. Emission Equipment

The following equipment is addressed in this Air Emission License:

Concrete Plants

Equipment	Production Rate	Control Devices
#14 Concrete Batch Plant	166 ton/hr	Baghouse
#17 Concrete Batch Plant*	200 yd^3/hr	Baghouse

*Added from license A-307

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826
RAY BLDG., HOSPITAL ST.

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143

website: www.maine.gov/dep

Generator Units

Unit ID	Max. Capacity (MMBtu/hr)	Max. Firing Rate (gal/hr)	Fuel Type	Date of Manuf.
JD 6081	1.7 (125 kW)	12.1	distillate fuel, 0.0015% sulfur	2000
Cummings	2.33 (230 kW)	17	distillate fuel, 0.0015% sulfur	1986

Heating Equipment

Equipment	Maximum Capacity	Fuel Type (%S)	Maximum Firing Rate	Date of Manuf.
Omnia 17 K-100	4.2 MMBtu/hr	distillate fuel (0.5%), spec. waste oil (0.7%)	30 gal/hr	1989
Omnia 14 K-100*	4.1 MMBtu/hr	distillate fuel (0.5%), spec. waste oil (0.7%)	30 gal/hr	1996

*Added from license A-307

Storage Silos

Equipment	Storage Capacity (tons)	Control Device
Storage Silo #14A	75	Filter Vent
Storage Silo #14B	75	Filter Vent
Storage Silo #17A*	75	Filter Vent
Storage Silo #17B*	75	Filter Vent
Storage Silo #17C*	75	Filter Vent

*Added from license A-307

C. Definitions

Distillate Fuel means fuel oil that complies with the specifications for fuel oil numbers 1 or 2, as defined by the American Society for Testing and Materials in ASTM D396, diesel fuel oil numbers 1 or 2, as defined in ASTM D975, kerosene, as defined in ASTM D3699, biodiesel as defined in ASTM D6751, or biodiesel blends as defined in ASTM D7467.

D. Application Classification

The modification of a minor source is considered a major or minor modification based on whether or not expected emission increases exceed the "Significant Emission" levels as defined in the Department's *Definitions Regulation*, 06-096 Code of Maine Rules (CMR) 100 (as amended). The emission increases are determined by subtracting the current licensed annual emissions preceding the modification from the maximum future licensed annual emissions, as follows:

Pollutant	Current License (TPY)	Future License (TPY)	Net Change (TPY)	Significant Emission Levels
PM	1.3	1.0	-0.3	100
PM_{10}	1.3	1.0	-0.3	100
SO_2	5.1	5.0	-0.1	100
NO_x	15.6	16.1	+0.5	100
CO	3.5	3.6	+0.1	100
VOC	1.3	1.3	0.0	50
CO_2e	<100,000	<100,000	<100,000	100,000

This amendment will not increase emissions of any pollutant above the significant emission levels, therefore this application is determined to be a renewal with a minor modification and has been processed as such. The Department has determined the facility is a minor source and the application has been processed through *Major and Minor Source Air Emission License Regulations*, 06-096 CMR 115 (as amended). With the annual fuel limit on the JD 6081 and Cummings Generators and the annual fuel limit on the Omnia 17 K-100 and Omnia 14 K-100 boilers, the facility is licensed below major source thresholds for criteria pollutants and is considered a synthetic minor. With the annual fuel limit on the JD 6081 and Cummings Generators and the annual fuel limit on the Omnia 17 K-100 and Omnia 14 K-100 boilers, the facility is licensed below the major source thresholds for hazardous air pollutants (HAP) and is considered an area source of HAP.

II. BEST PRACTICAL TREATMENT

A. Introduction

In order to receive a license the applicant must control emissions from each unit to a level considered by the Department to represent Best Practical Treatment (BPT), as defined in *Definitions Regulation*, 06-096 CMR 100 (as amended). Separate control requirement categories exist for new and existing equipment.

BPT for new sources and modifications requires a demonstration that emissions are receiving Best Available Control Technology (BACT), as defined in *Definitions Regulation*, 06-096 CMR 100 (as amended). BACT is a top-down approach to selecting air emission controls considering economic, environmental and energy impacts.

BPT for existing emissions equipment means that method which controls or reduces emissions to the lowest possible level considering:

- the existing state of technology;
- the effectiveness of available alternatives for reducing emissions from the source being considered; and
- the economic feasibility for the type of establishment involved.

B. #14 and #17 Concrete Batch Plants

Lane operates two concrete batch plants; #14 Concrete Batch Plant and the #17 Concrete Batch Plant, rated at 166 ton/hr and 200 cubic yards/hour, respectively. The #17 Concrete Batch Plant was added to this license from Lane's A-307 license. The concrete batch plants include 5 silos; Storage Silos #14A and #14B and Storage Silos #17A, #17B, and #17C.

To meet the requirements of BPT for control of particulate matter (PM) emissions from the cement silos, particulate emissions shall be vented through a fabric filter or baghouse maintained for 99% removal efficiency. Visible emissions from each cement silo fabric filter or baghouse are limited to no greater than 10% opacity on a six-minute block average basis except for no more than one six-minute block average in a one-hour period. Lane shall take corrective action if visible emissions from the fabric filters or baghouse exceed 5% opacity.

All components of the concrete batch plants shall be maintained so as to prevent PM leaks. Visible emissions from concrete batching operations shall not exceed 20% opacity on a six-minute block average basis except for no more than one six-minute block average in a one-hour period.

C. JD 6081 and Cummings Generators

The JD 6081 and Cummings Generators are portable engines used to power Concrete Batch Plant #17 and the wash plant. The JD 6081 and Cummings Generators have maximum capacities of 1.7 MMBtu/hr (125 kW) and 2.3 MMBtu/hr (230 kW), respectively. Both generators fire distillate fuel. The JD 6081 and Cummings Generators were manufactured in 2000 and 1986, respectively. The fuel fired in the JD 6081 and Cummings Generators combined shall be limited to 50,000 gallons/year of distillate fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur by weight).

1. BPT Findings

The BPT emission limits for the JD 6081 and Cummings Generators were based on the following:

PM/PM_{10}	- 0.12 lb/MMBtu from 06-096 CMR 103
SO_2	- combustion of distillate fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur by weight)
NO_x	- 4.41 lb/MMBtu from AP-42 dated 10/96
CO	- 0.95 lb/MMBtu from AP-42 dated 10/96
VOC	- 0.35 lb/MMBtu from AP-42 dated 10/96
Opacity	- 06-096 CMR 101

The BPT emission limits for the JD 6081 and Cummings Generators are the following:

Unit	PM (lb/hr)	PM_{10} (lb/hr)	SO_2 (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
JD 6081	0.20	0.20	0.01	7.50	1.62	0.60
Cummings	0.28	0.28	0.01	10.28	2.21	0.82

Visible emissions from the JD 6081 and Cummings Generators shall each not exceed 20% opacity on a six-minute block average basis, except for no more than two six-minute block averages in a three-hour period.

2. New Source Performance Standards

The JD 6081 and Cummings Generators were both manufactured prior to April 1, 2006. Therefore, the JD 6081 and Cummings Generators are not subject to New Source Performance Standards 40 CFR Part 60, Subpart IIII, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.*

3. National Emission Standards for Hazardous Air Pollutants

The JD 6081 and Cummings Generators are considered non-road engines, as opposed to stationary engines, since the JD 6081 and Cummings Generators are portable and will be moved to various sites with the concrete batch plants. Therefore, the JD 6081 and Cummings Generators are not subject to 40 CFR Part 63, Subpart ZZZZ, *National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.* The definition in 40 CFR Part 1068.30 states that a non-road engine is an internal combustion engine that meets certain criteria, including: "Portable or transportable, meaning designed to be and capable of being carried or moved

from one location to another. Indicia of transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform." 40 CFR Part 1068.30 further states that an engine is not a non-road engine if it remains or will remain at a location for more than 12 consecutive months or a shorter period of time for an engine located at a seasonal source. An engine located at a seasonal source (a stationary source that remains in a single location on a permanent basis (i.e., at least two years) and that operates at that single location approximately three months (or more) each year) is an engine that remains at a seasonal source during the full annual operating period of the seasonal source.

D. Omnia 17 K-100 and Omnia 14 K-100

Lane operates boilers Omnia 17 K-100 and Omnia 14 K-100, with maximum capacities of 4.2 MMBtu/hr and 4.1 MMBtu/hr, respectively. The Omnia 14 K-100 boiler was added to this license from Lane's A-307 license. Both boilers are capable of firing distillate fuel with a maximum sulfur content of 0.5% by weight and specification waste oil with a maximum sulfur content of 0.7% by weight. Omnia 17 K-100 and Omnia 14 K-100 were manufactured in 1989 and 1996, respectively.

1. BPT Findings

The BPT emission limits for the boilers were based on the following:

PM/PM_{10}	–	0.08 lb/MMBtu based on 06-096 CMR 115, BPT
SO_2	–	based on firing specification waste oil with a maximum sulfur content of 0.7% by weight
NO_x	–	20 lb/1000 gal based on AP-42, Table 1.3-1, dated 5/10
CO	–	5 lb/1000 gal based on AP-42, Table 1.3-1, dated 5/10
VOC	–	0.34 lb/1000 gal based on AP-42, Table 1.3-3, dated 5/10
Opacity	–	06-096 CMR 101

The BPT emission limits for the boilers are the following:

Unit	Pollutant	lb/MMBtu
Omnia 17 K-100 and Omnia 14 K-100 [each]	PM	0.08

Unit	PM (lb/hr)	PM_{10} (lb/hr)	SO_2 (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Omnia 17 K-100 and Omnia 14 K-100 [each]	0.34	0.34	2.96	0.60	0.15	0.01

Visible emissions from the Omnia 17 K-100 and Omnia 14 K-100 boilers shall each not exceed 20% opacity on a six-minute block average basis, except for no more than one six-minute block average in a three-hour period.

Lane shall be limited to 100,000 gallons/yr combined of distillate fuel with a maximum sulfur content of 0.5% by weight and specification waste oil with a maximum sulfur content of 0.7% by weight in all three boilers combined.

The Omnia 17 K-100 and Omnia 14 K-100 boilers are licensed to fire distillate fuel which, by definition, has a sulfur content of 0.5% or less by weight. Per 38 M.R.S.A. §603-A(2)(A)(3), as of July 1, 2018, no person shall import, distribute, or offer for sale any distillate fuel with a sulfur content greater than 0.0015% by weight (15 ppm). Therefore, beginning July 1, 2018, the distillate fuel purchased or otherwise obtained for use in the Omnia 17 K-100 and Omnia 14 K-100 boilers shall not exceed a sulfur content of 0.0015% by weight (15 ppm).

2. Periodic Monitoring

Periodic monitoring for the boilers shall include recordkeeping to document fuel use both on a monthly and calendar year total basis. Documentation shall include the type and volume of fuel used and sulfur content of the fuel. Records shall also be maintained documenting the quantity and analyzed test results of all specification waste oil fired in the Omnia 17 K-100 and Omnia 14 K-100 boilers.

3. New Source Performance Standards

Due to their size, the boilers are not subject to the New Source Performance Standards (NSPS) 40 CFR Part 60, Subpart Dc, *Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units*, for units greater than 10 MMBtu/hr manufactured after June 9, 1989.

4. National Emission Standards for Hazardous Air Pollutants

Omnia 17 K-100 and Omnia 14 K-100 are both subject to the *National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources* (40 CFR Part 63, Subpart JJJJJJ). The units are considered existing oil boilers rated less than 10 MMBtu/hr.

A summary of the currently applicable federal 40 CFR Part 63, Subpart JJJJJJ requirements is listed below. At this time, the Department has not taken delegation of this area source MACT (Maximum Achievable Control Technology) rule promulgated by EPA, however Lane is still subject to the

requirements. Notification forms and additional rule information can be found on the following website: http://www.epa.gov/ttn/atw/boiler/boilerpg.html.

a. Compliance Dates, Notifications, and Work Practice Requirements

(1) Initial Notification of Compliance

An Initial Notification should have been submitted to EPA no later than January 20, 2014. Lane submitted the initial notification for Omnia 17 K-100 and Omnia 14 K-100 on September 15, 2011. [40 CFR §63.11225(a)(2)]

(2) Boiler Tune-Up Program

(i) A boiler tune-up program shall be implemented. [40 CFR §63.11223]

(ii) Each tune-up shall be conducted at a frequency specified by the rule and based on the size, age, and operations of the boiler. See chart below:

Boiler Category	Tune-Up Frequency
With a heat input capacity of ≤5MMBtu/hr	Every 5 years

[40 CFR §63.11223(a) and Table 2]

(iii)The boiler tune-up program, conducted to demonstrate continuous compliance, shall be performed as specified below:

1. As applicable, inspect the burner, and clean or replace any component of the burner as necessary. Delay of the burner inspection until the next scheduled shutdown is permitted; not to exceed 72 months from the previous inspection for oil fired boilers less than or equal to 5 MMBtu/hr. [40 CFR §63.11223(b)(1)]
2. Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern, consistent with the manufacturer's specifications. [40 CFR §63.11223(b)(2)]
3. Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure it is correctly calibrated and functioning properly. Delay of the inspection until the next scheduled shutdown is permitted; not to exceed 72 months from the

previous inspection for oil fired boilers less than or equal to 5 MMBtu/hr. [40 CFR §63.11223(b)(3)]

4. Optimize total emissions of CO, consistent with manufacturer's specifications. [40 CFR §63.11223(b)(4)]
5. Measure the concentration in the effluent stream of CO in parts per million by volume (ppmv), and oxygen in volume percent, before and after adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer. [40 CFR §63.11223(b)(5)]
6. If a unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 days of start-up. [40 CFR §63.11223(b)(7)]

(iv) Tune-Up Report: A tune-up report shall be maintained onsite and, if requested, submitted to EPA. The report shall contain the following information:

1. The concentration of CO in the effluent stream (ppmv) and oxygen (volume percent) measured at high fire or typical operating load both **before** and **after** the boiler tune-up;

2. A description of any corrective actions taken as part of the tune-up of the boiler; and

3. The types and amounts of fuels used over the 12 months prior to the tune-up of the boiler, but only if the unit was physically and legally capable of using more than one type of fuel during that period. Units sharing a fuel meter may estimate the fuel use by each unit. [40 CFR §63.11223(b)(6)]

(v) After conducting the initial boiler tune-up, a Notification of Compliance Status shall be submitted to EPA no later than July 19, 2014. Lane submitted their Notification of Compliance Status on July 19, 2012. [40 CFR §63.11225(a)(4) and 40 CFR §63.11214(b)]

(3) Compliance Report:

A compliance report shall be prepared by March 1st every five years which covers the previous five calendar years. The report shall be maintained by the source and submitted to the Department and to the EPA upon request. The report must include the items contained in

§63.11225(b)(1) and (2), including the following: [40 CFR §63.11225(b)]

(i) Company name and address;

(ii) A statement of whether the source has complied with all the relevant requirements of this Subpart;

(iii) A statement certifying truth, accuracy, and completeness of the notification and signed by a responsible official and containing the official's name, title, phone number, email address, and signature;

(iv) The following certifications, as applicable:

1. "This facility complies with the requirements in 40 CFR §63.11223 to conduct tune-ups of each boiler in accordance with the frequency specified in this Subpart."
2. "No secondary materials that are solid waste were combusted in any affected unit."
3. "This facility complies with the requirement in 40 CFR §§63.11214(d) to conduct a tune-up of each applicable boiler according to 40 CFR §63.11223(b)."

b. Recordkeeping

Records shall be maintained consistent with the requirements of 40 CFR Part 63, Subpart JJJJJJ including the following [40 CFR §63.11225(c)]:

(1) Copies of notifications and reports with supporting compliance documentation;

(2) Identification of each boiler, the date of tune-up, procedures followed for tune-up, and the manufacturer's specifications to which the boiler was tuned;

(3) Records of the occurrence and duration of each malfunction of each applicable boiler; and

(4) Records of actions taken during periods of malfunction to minimize emissions, including corrective actions to restore the malfunctioning boiler.

Records shall be in a form suitable and readily available for expeditious review.

EPA requires submission of Notification of Compliance Status reports for tune-ups and energy assessments through their electronic reporting system. [40 CFR §63.11225(a)(4)(vi)]

E. Fugitive Emissions

Visible emissions from a fugitive emission source (including stockpiles and roadways) shall not exceed 20% opacity, except for no more than five minutes in any one-hour period. Compliance shall be determined by an aggregate of the individual 15-second opacity observations which exceed 20% in any one hour.

F. General Process Emissions

Visible emissions from any other general process (non-NSPS crusher conveyor belts, bucket elevators, bagging operations, truck loading operations, etc.) shall not exceed an opacity of 20% on a six-minute block average basis except for no more than one six-minute block average in a one-hour period.

G. Annual Emissions

1. Total Annual Emissions
Lane shall be restricted to the following annual emissions, based on a calendar year total. The tons per year limits were calculated based on a fuel limit of 100,000 gal/yr of distillate fuel and specification waste oil for the Omnia 17 K-100 and Omnia 14 K-100 combined and a fuel limit of 50,000 gal/yr of distillate fuel for the JD 6081 and Cummings Generators combined:

Total Licensed Annual Emissions for the Facility
Tons/year
(used to calculate the annual license fee)

	PM	PM_{10}	SO_2	NO_x	CO	VOC
JD 6081 and Cummings Generators	0.4	0.4	0.1	15.1	3.3	1.2
Omnia 17 K-100, and Omnia 14 K-100	0.6	0.6	4.9	1.0	0.3	0.1
Total TPY	**1.0**	**1.0**	**5.0**	**16.1**	**3.6**	**1.3**

2. Greenhouse Gases

Greenhouse gases are considered regulated pollutants as of January 2, 2011, through 'Tailoring' revisions made to EPA's *Approval and Promulgation of Implementation Plans,* 40 CFR Part 52, Subpart A, §52.21, *Prevention of Significant Deterioration of Air Quality* rule. Greenhouse gases, as defined in 06-096 CMR 100 (as amended), are the aggregate group of the following gases: carbon dioxide, nitrous oxide, methane, hydrofluorocarbons,

perfluorocarbons, and sulfur hexafluoride. For licensing purposes, greenhouse gases (GHG) are calculated and reported as carbon dioxide equivalents (CO_2e).

The quantity of CO_2e emissions from this facility is less than 100,000 tons per year, based on the following:

- the facility's fuel use limits;
- worst case emission factors from the following sources: U.S. EPA's AP-42, the Intergovernmental Panel on Climate Change (IPCC), and 40 CFR Part 98, *Mandatory Greenhouse Gas Reporting*; and
- global warming potentials contained in 40 CFR Part 98.

No additional licensing actions to address GHG emissions are required at this time.

III. AMBIENT AIR QUALITY ANALYSIS

The level of ambient air quality impact modeling required for a minor source shall be determined by the Department on a case-by-case basis. In accordance with 06-096 CMR 115, an ambient air quality impact analysis is not required for a minor source if the total licensed annual emissions of any pollutant released do not exceed the following levels and there are no extenuating circumstances:

Pollutant	Tons/Year
PM_{10}	25
SO_2	50
NO_x	50
CO	250

The total licensed annual emissions for the facility are below the emission levels contained in the table above and there are no extenuating circumstances; therefore, an ambient air quality impact analysis is not required as part of this license.

ORDER

Based on the above Findings and subject to conditions listed below the Department concludes that the emissions from this source:

- will receive Best Practical Treatment,
- will not violate applicable emission standards,
- will not violate applicable ambient air quality standards in conjunction with emissions from other sources.

The Department hereby grants Air Emission License A-524-71-I-R/A, subject to the following conditions.

Severability. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

STANDARD CONDITIONS

(1) Employees and authorized representatives of the Department shall be allowed access to the licensee's premises during business hours, or any time during which any emissions units are in operation, and at such other times as the Department deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions (38 M.R.S.A. §347-C).

(2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in Chapter 115. [06-096 CMR 115]

(3) Approval to construct shall become invalid if the source has not commenced construction within eighteen (18) months after receipt of such approval or if construction is discontinued for a period of eighteen (18) months or more. The Department may extend this time period upon a satisfactory showing that an extension is justified, but may condition such extension upon a review of either the control technology analysis or the ambient air quality standards analysis, or both. [06-096 CMR 115]

(4) The licensee shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust, and shall submit a description of the program to the Department upon request. [06-096 CMR 115]

(5) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to Title 38 M.R.S.A. §353-A. [06-096 CMR 115]

(6) The license does not convey any property rights of any sort, or any exclusive privilege. [06-096 CMR 115]

(7) The licensee shall maintain and operate all emission units and air pollution systems required by the air emission license in a manner consistent with good air pollution control practice for minimizing emissions. [06-096 CMR 115]

(8) The licensee shall maintain sufficient records to accurately document compliance with emission standards and license conditions and shall maintain such records for a minimum of six (6) years. The records shall be submitted to the Department upon written request. [06-096 CMR 115]

(9) The licensee shall comply with all terms and conditions of the air emission license. The filing of an appeal by the licensee, the notification of planned changes or anticipated noncompliance by the licensee, or the filing of an application by the licensee for a renewal of a license or amendment shall not stay any condition of the license. [06-096 CMR 115]

(10) The licensee may not use as a defense in an enforcement action that the disruption, cessation, or reduction of licensed operations would have been necessary in order to maintain compliance with the conditions of the air emission license. [06-096 CMR 115]

(11) In accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department, the licensee shall:

A. perform stack testing to demonstrate compliance with the applicable emission standards under circumstances representative of the facility's normal process and operating conditions:
   1. within sixty (60) calendar days of receipt of a notification to test from the Department or EPA, if visible emissions, equipment operating parameters, staff inspection, air monitoring or other cause indicate to the Department that equipment may be operating out of compliance with emission standards or license conditions; or
   2. pursuant to any other requirement of this license to perform stack testing.

B. install or make provisions to install test ports that meet the criteria of 40 CFR Part 60, Appendix A, and test platforms, if necessary, and other accommodations necessary to allow emission testing; and

C. submit a written report to the Department within thirty (30) days from date of test completion.

[06-096 CMR 115]

(12) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicate emissions in excess of the applicable standards, then:

A. within thirty (30) days following receipt of such test results, the licensee shall re-test the non-complying emission source under circumstances representative

of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department; and

B. the days of violation shall be presumed to include the date of stack test and each and every day of operation thereafter until compliance is demonstrated under normal and representative process and operating conditions, except to the extent that the facility can prove to the satisfaction of the Department that there were intervening days during which no violation occurred or that the violation was not continuing in nature; and

C. the licensee may, upon the approval of the Department following the successful demonstration of compliance at alternative load conditions, operate under such alternative load conditions on an interim basis prior to a demonstration of compliance under normal and representative process and operating conditions.

[06-096 CMR 115]

(13) Notwithstanding any other provisions in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute, regulation, or Part 70 license requirement. [06-096 CMR 115]

(14) The licensee shall maintain records of malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emissions unit itself that would affect emissions and that is not consistent with the terms and conditions of the air emission license. The licensee shall notify the Department within two (2) days or the next state working day, whichever is later, of such occasions where such changes result in an increase of emissions. The licensee shall report all excess emissions in the units of the applicable emission limitation. [06-096 CMR 115]

(15) Upon written request from the Department, the licensee shall establish and maintain such records, make such reports, install, use and maintain such monitoring equipment, sample such emissions (in accordance with such methods, at such locations, at such intervals, and in such a manner as the Department shall prescribe), and provide other information as the Department may reasonably require to determine the licensee's compliance status. [06-096 CMR 115]

SPECIFIC CONDITIONS

(16) #14 and #17 Concrete Batch Plants

A. Particulate emissions from the cement silos shall be vented through a fabric filter or baghouse and all components of the #14 and #17 Concrete Batch Plants shall be maintained so as to prevent PM leaks. [06-096 CMR 115, BPT]

B. To document maintenance of the cement silo fabric filters and baghouse, the licensee shall keep a maintenance record recording the date and location of all bag failures as well as all routine maintenance. The maintenance record shall be kept on-site at the concrete batch plant location. [06-096 CMR 115, BPT]

C. Opacity from the cement silo fabric filters and baghouse is limited to no greater than 10% on a six-minute block average basis, except for no more than one six-minute block average in a one-hour period. Lane shall take corrective action if visible emissions from the fabric filters and baghouse exceed 5% opacity. [06-096 CMR 101]

D. PM emissions from the concrete batching operations shall be controlled so as to prevent visible emissions in excess of 20% opacity on a six-minute block average basis, except for no more than one six-minute block average in a one-hour period. [06-096 CMR 101]

(17) JD 6081 and Cummings Generators

A. Fuel Use

1. The JD 6081 and Cummings Generators are licensed to fire distillate fuel with a maximum sulfur content not to exceed 15 ppm (0.0015% sulfur by weight). [06-096 CMR 115, BPT]
2. Total fuel use for the JD 6081 and Cummings Generators shall not exceed 50,000 gal/yr of distillate fuel. Compliance shall be demonstrated by fuel records from the supplier showing the quantity, type, and percent sulfur of fuel delivered. Records of annual fuel use shall be kept on a monthly and calendar year basis. [06-096 CMR 115, BPT]

B. Emissions shall not exceed the following [06-096 CMR 115, BPT]:

Unit	PM (lb/hr)	PM_{10} (lb/hr)	SO_2 (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
JD 6081	0.20	0.20	0.01	7.50	1.62	0.60
Cummings	0.28	0.28	0.01	10.28	2.21	0.82

C. Visible emissions from the JD 6081 and Cummings Generators shall each not exceed 20% opacity on a six-minute block average basis, except for no more than two six-minute block averages in a continuous three-hour period. [06-096 CMR 101]

(18) **Omnia 17 K-100 and Omnia 14 K-100**

A. Fuel Use

1. Total fuel use for both boilers combined shall not exceed 100,000 gallons of distillate fuel and specification waste oil combined on a calendar year total basis. [06-096 CMR 115, BPT]
2. Prior to July 1, 2018, Lane shall fire distillate fuel with a maximum sulfur content not to exceed 0.5% by weight in the Omnia 17 K-100 and Omnia 14 K-100 boilers. [06-096 CMR 115, BPT]
3. Beginning July 1, 2018, Lane shall not purchase or otherwise obtain distillate fuel with a maximum sulfur content that exceeds 0.0015% by weight (15 ppm) for use in the Omnia 17 K-100 and Omnia 14 K-100 boilers. [06-096 CMR 115, BPT]
4. Compliance shall be demonstrated by fuel records from the supplier showing the quantity, type, and the percent sulfur of the fuel delivered. Records of annual fuel use shall be kept on a monthly and calendar year total basis. [06-096 CMR 115, BPT]
5. Records shall be maintained documenting the quantity and analyzed test results of all specification waste oil fired in the Omnia 17 K-100 and Omnia 14 K-100 boilers. [06-096 CMR 115, BPT and 06-096 CMR 860]

B. Emissions shall not exceed the following:

Unit	Pollutant	lb/MMBtu	Origin and Authority
Omnia 17 K-100 and Omnia 14 K-100 [each]	PM	0.08	06-096 CMR 115, BPT

C. Emissions shall not exceed the following [06-096 CMR 115, BPT]:

Unit	PM (lb/hr)	PM_{10} (lb/hr)	SO_2 (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Omnia 17 K-100 and Omnia 14 K-100 [each]	0.34	0.34	2.96	0.60	0.15	0.01

D. Visible emissions from the Omnia 17 K-100 and Omnia 14 K-100 boilers shall each not exceed 20% opacity on a six-minute block average basis, except for no more than one six-minute block average in a continuous three-hour period. [06-096 CMR 101]

E. Boiler MACT (40 CFR Part 63, Subpart JJJJJJ) Requirements for Omnia 17 K-100 and Omnia 14 K-100.
[incorporated under 06-096 CMR 115, BPT]

1. The facility shall implement a boiler tune-up program. [40 CFR §63.11223]

   a. Each tune-up shall be conducted at a frequency specified by the rule and based on the size, age, and operations of the boiler. See chart below:

Boiler Category	Tune-Up Frequency
With a heat input capacity of ≤5MMBtu/hr	Every 5 years

   [40 CFR §63.11223(a) and Table 2]

   b. The boiler tune-up program, conducted to demonstrate continuous compliance, shall be performed as specified below:
      (1) As applicable, inspect the burner, and clean or replace any component of the burner as necessary. Delay of the burner inspection until the next scheduled shutdown is permitted; not to exceed 72 months from the previous inspection for oil fired boilers less than or equal to 5 MMBtu/hr. [40 CFR §63.11223(b)(1)]
      (2) Inspect the flame pattern, as applicable, and adjust the burner as necessary to optimize the flame pattern, consistent with the manufacturer's specifications. [40 CFR §63.11223(b)(2)]
      (3) Inspect the system controlling the air-to-fuel ratio, as applicable, and ensure it is correctly calibrated and functioning properly. Delay of the inspection until the next scheduled shutdown is permitted; not to exceed 72 months from the previous inspection for oil fired boilers less than or equal to 5 MMBtu/hr. [40 CFR §63.11223(b)(3)]
      (4) Optimize total emissions of CO, consistent with manufacturer's specifications. [40 CFR §63.11223(b)(4)]
      (5) Measure the concentration in the effluent stream of CO in parts per million by volume (ppmv), and oxygen in volume percent, before and after adjustments are made (measurements may be either on a dry or wet basis, as long as it is the same basis before and after the adjustments are made). Measurements may be taken using a portable CO analyzer. [40 CFR §63.11223(b)(5)]
      (6) If a unit is not operating on the required date for a tune-up, the tune-up must be conducted within 30 days of start-up. [40 CFR §63.11223(b)(7)]

c. Tune-Up Report: A tune-up report shall be maintained onsite and, if requested, submitted to EPA. The report shall contain the following information:
   (1) The concentration of CO in the effluent stream (ppmv) and oxygen (volume percent) measured at high fire or typical operating load both **before** and **after** the boiler tune-up;
   (2) A description of any corrective actions taken as part of the tune-up of the boiler; and
   (3) The types and amounts of fuels used over the 12 months prior to the tune-up of the boiler, but only if the unit was physically and legally capable of using more than one type of fuel during that period. Units sharing a fuel meter may estimate the fuel use by each unit.

   [40 CFR §63.11223(b)(6)]

2. Compliance Report:

   A compliance report shall be prepared by March 1st every five years which covers the previous five calendar years. The report shall be maintained by the source and submitted to the Department and to the EPA upon request. The report must include the items contained in §63.11225(b)(1) and (2), including the following: [40 CFR §63.11225(b)]
   a. Company name and address;
   b. A statement of whether the source has complied with all the relevant requirements of this Subpart;
   c. A statement certifying truth, accuracy, and completeness of the notification and signed by a responsible official and containing the official's name, title, phone number, email address, and signature;
   d. The following certifications, as applicable:
      (1) "This facility complies with the requirements in 40 CFR §63.11223 to conduct tune-ups of each boiler in accordance with the frequency specified in this Subpart."
      (2) "No secondary materials that are solid waste were combusted in any affected unit."
      (3) "This facility complies with the requirement in 40 CFR §§63.11214(d) to conduct a tune-up of each applicable boiler according to 40 CFR §63.11223(b)."

3. Records shall be maintained consistent with the requirements of 40 CFR Part 63, Subpart JJJJJJ including the following [40 CFR §63.11225(c)]:
   a. Copies of notifications and reports with supporting compliance documentation;

b. Identification of each boiler, the date of tune-up, procedures followed for tune-up, and the manufacturer's specifications to which the boiler was tuned;
c. Records of the occurrence and duration of each malfunction of each applicable boiler; and
d. Records of actions taken during periods of malfunction to minimize emissions, including corrective actions to restore the malfunctioning boiler.

Records shall be in a form suitable and readily available for expeditious review.

EPA requires submission of Notification of Compliance Status reports for tune-ups and energy assessments through their electronic reporting system. [40 CFR §63.11225(a)(4)(vi)]

(19) **Fugitive Emissions**

Visible emissions from a fugitive emission source (including stockpiles and roadways) shall not exceed an opacity of 20%, except for no more than five minutes in any one-hour period. Compliance shall be determined by an aggregate of the individual 15-second opacity observations which exceed 20% in any one hour. [06-096 CMR 101]

(20) **General Process Sources**

Visible emissions from any other general process (non-NSPS crusher conveyor belts, bucket elevators, bagging operations, truck loading operations, etc.) shall not exceed 20% opacity on a six-minute block average basis except for no more than one six-minute block average in a one-hour period. [06-096 CMR 115, BPT]

(21) **Equipment Relocation**

A. Lane shall notify the Bureau of Air Quality, by a written notification, prior to relocation of any equipment carried on this license. It is preferred for notice of relocation to be submitted through the Department's on-line e-notice at: www.maine.gov/dep/air/compliance/forms/relocation

Written notice may also be sent by fax (207-287-7641) or mail. Notification sent by mail shall be sent to the address below:

Attn: Relocation Notice
Maine DEP
Bureau of Air Quality
17 State House Station
Augusta, ME 04333-0017

The notification shall include the address of the equipment's new location, an identification of the equipment and the license number pertaining to the relocated equipment.

B. Written notification shall also be made to the municipality where the equipment will be relocated, except in the case of an unorganized territory where notification shall be made to the respective county commissioners. [06-096 CMR 115, BPT]

(22) Lane shall keep a copy of this Order on site, and have the operator(s) be familiar with the terms of this Order. [06-096 CMR 115, BPT]

(23) Lane shall notify the Department within 48 hours and submit a report to the Department on a quarterly basis if a malfunction or breakdown in any component causes a violation of any emission standard [38 M.R.S.A. §605].

DONE AND DATED IN AUGUSTA, MAINE THIS 5 DAY OF July , 2016.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: Marc Allen Robert Cone for
PAUL MERCER, COMMISSIONER

The term of this license shall be ten (10) years from the signature date above.

[Note: If a complete renewal application, as determined by the Department, is submitted prior to expiration of this license, then pursuant to Title 5 MRSA §10002, all terms and conditions of the license shall remain in effect until the Department takes final action on the renewal of the license.]

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 2/23/2015
Date of application acceptance: 2/23/2015

Date filed with the Board of Environmental Protection:

Filed
JUL 06 2016
State of Maine
Board of Environmental Protection

This Order prepared by Jonathan E. Rice, Bureau of Air Quality.